



STATE OF CONNECTICUT
DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES
A Healthcare Service Agency

Dannel P. Malloy
Governor

Patricia A. Rehmer, MSN
Commissioner

Memorandum:

TO: Senator Eric Coleman
Representative Gerald Fox
Members of the Judiciary Committee

FROM: Commissioner Patricia Rehmer, DMHAS

DATE: March 31, 2014

SUBJECT: Written Testimony on House Bill 5594

Senator Coleman, Representative Fox, and distinguished members of the Judiciary Committee: thank you for the opportunity to submit written testimony on House Bill 5594 AN ACT CONCERNING DIVERSIONARY PROGRAMS.

The Department has serious fiscal concerns regarding language in Sections 5 and 6 that changes criteria for waiving court fees. These two jail diversion programs are funded entirely by court fees collected from participants.

Currently, the Court determines whether or not an individual is indigent and, as such, can waive court fees for the programs. HB 5594 would designate any individual who is eligible for a public defender as indigent. Our understanding is that the Division of Public Defender Services' threshold for determining indigence is lower than the court's threshold; so the bill will expand the number of defendants who receive fee waivers. While I understand the reason for this bill, this expansion will create a deficit in the program account. DMHAS contracts with private providers to offer the diversionary programs and is not budgeted for additional dollars to make up for the shortfall that would occur should this language be approved.

Thank you for your time and attention to this matter.